

BILL NO. **91-13**  
**AS AMENDED**

COUNTY COUNCIL,  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 91-13 As Amended

Council President Wilson  
at the request of the County Executive

Introduced by \_\_\_\_\_  
Legislative Day No. 91-7 Date March 5, 1991

AN ACT to repeal in its entirety Article VIII, Harford County Health Planning Commission and to add new Article VIII, Harford County Health Planning Commission to Chapter 9, Boards, Councils, and Agencies of the Harford County Code, as amended, to provide for the creation and expansion of the Harford County Health Planning Commission.

By the Council, \_\_\_\_\_ March 5, 1991

Introduced, read first time, ordered posted and public hearing scheduled  
on: April 2, 1991  
at: 6:30 P.M.

By Order: Doris Poulsen, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on April 2, 1991, and concluded on, April 2, 1991

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

BILL NO. **91-13**  
**AS AMENDED**

1 Section 1. Be It Enacted by the County Council of Harford  
2 County that Article VIII, Harford County Health Planning Commission  
3 is hereby repealed in its entirety and that new Article VIII,  
4 Harford County Health Planning Commission is hereby added to  
5 Chapter 9, Boards, Councils and Agencies of the Harford County  
6 Code, as amended, all to read as follows:

7 Chapter 9: Boards, Commissions, Councils and Agencies.

8 ARTICLE VIII. HARFORD COUNTY HEALTH PLANNING COMMISSION.

9 SECTION 9-45. CREATION

10 THERE IS HEREBY CREATED A COMMISSION, TO BE KNOWN AS THE  
11 HARFORD COUNTY HEALTH PLANNING COMMISSION (HCHPC), HEREINAFTER  
12 REFERRED TO AS "HCHPC."

13 A. THE HCHPC SHALL CONSIST OF ~~ELEVEN (11)~~ 17 MEMBERS:

14 (1) AS EX OFFICIO MEMBERS:

15 (A) THE COUNTY EXECUTIVE OR THE EXECUTIVE'S  
16 DESIGNEE, WHO SHALL BE RECOMMENDED BY THE DIRECTOR OF PLANNING AND  
17 ZONING;

18 (B) A REPRESENTATIVE OF THE COUNTY COUNCIL,  
19 APPOINTED BY THE COUNCIL; AND

20 (C) THE COUNTY HEALTH OFFICER;

21 (2) THE FOLLOWING MEMBERS, APPOINTED ~~BY THE EXECUTIVE~~  
22 ~~AND CONFIRMED~~ BY THE COUNCIL:

23 (A) A REPRESENTATIVE OF THE HOSPITAL INDUSTRY;

24 (B) A REPRESENTATIVE OF THE NURSING HOME INDUSTRY;

25 (C) A REPRESENTATIVE OF THE ALLIED HEALTH  
26 PROFESSIONALS; AND

1 (D) A REPRESENTATIVE OF THE COUNTY MEDICAL SOCIETY;  
2 AND

3 (E) A REPRESENTATIVE OF THE HARFORD COUNTY VOLUNTEER  
4 FIRE AND AMBULANCE ASSOCIATION, INC.; AND

5 (3) ~~FOUR-(4)~~ NINE CONSUMERS, 2 APPOINTED BY THE  
6 EXECUTIVE UPON RECOMMENDATION OF THE DIRECTOR OF PLANNING AND  
7 ZONING AND CONFIRMED BY THE ~~COUNCIL~~ COUNCIL, AND 7 APPOINTED BY THE  
8 COUNCIL. THE CONSUMER MEMBERS SHALL BE COUNTY RESIDENTS AND SHALL  
9 BE, INsofar AS POSSIBLE, REPRESENTATIVE OF THE COUNTY'S POPULATION  
10 WITH RESPECT TO RACE, GENDER, GEOGRAPHY, AND POLITICAL AFFILIATION.

11 B. (1) THE TERM OF THE EXECUTIVE'S DESIGNEE SHALL BE  
12 COTERMINOUS WITH THAT OF THE EXECUTIVE, AND THE TERM OF THE COUNCIL  
13 REPRESENTATIVE SHALL BE COTERMINOUS WITH THAT OF THE COUNCIL.

14 (2) THE TERM OF A MEMBER APPOINTED UNDER SUBSECTIONS  
15 A(2) OR A(3) OF THIS SECTION IS TWO (2) YEARS AND BEGINS ON JULY  
16 1. AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A  
17 SUCCESSOR IS APPOINTED AND QUALIFIES. A MEMBER WHO SERVES TWO (2)  
18 CONSECUTIVE TERMS MAY NOT BE REAPPOINTED FOR ONE (1) YEAR AFTER  
19 COMPLETION OF THOSE TERMS.

20 C. VOTING/QUORUM.

21 (1) EACH APPOINTED MEMBER AND EACH EX OFFICIO MEMBER  
22 SHALL HAVE ONE (1) VOTE.

23 (2) A QUORUM SHALL BE CONSTITUTED BY ~~SIX-(6)~~ 9 OF THE  
24 MEMBERS. THIS BODY CAN ACT ONLY BY VOTE OF THE MAJORITY OF THE  
25 MEMBERS PRESENT AND VOTING.

(3) AT THE REQUEST OF THE HCHPC, THE DEPARTMENT OF PLANNING AND ZONING WILL PREPARE A STAFF REPORT ADDRESSING THE IMPACT OF THE MASTER LAND USE PLAN, ZONING ORDINANCE AND PUBLIC FACILITIES ORDINANCE ON COMPREHENSIVE HEALTH PLANNING OR SPECIFIC PROPOSALS BEFORE THE HCHPC.

SECTION 9-47. OFFICERS.

THE OFFICERS OF THE HCHPC SHALL CONSIST OF A ~~CHAIRPERSON~~, CHAIRPERSON APPOINTED ANNUALLY BY THE ~~COUNTY EXECUTIVE~~ COUNCIL AND A VICE-CHAIRPERSON ELECTED ANNUALLY BY THE HCHPC.

SECTION 9-48. SALARIES AND COMPENSATION.

THE MEMBERS SHALL SERVE WITHOUT COMPENSATION FOR SERVICES, BUT SHALL BE REIMBURSED FOR NECESSARY EXPENSES RELATED TO OUT OF COUNTY TRAVELING EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

SECTION 9-49. MEETINGS.

THE HCHPC SHALL MEET AT LEAST SIX (6) TIMES A YEAR, AND MAY HOLD SPECIAL MEETINGS AT THE CALL OF THE CHAIRPERSON OR A MAJORITY OF ITS MEMBERS.

SECTION 9-50. REPORTS.

THE CHAIRPERSON SHALL SUBMIT AN ANNUAL REPORT OF THE HCHPC'S ACTIVITIES TO THE COUNTY EXECUTIVE AND COUNTY COUNCIL.

SECTION 9-51. ORGANIZATION.

THE HCHPC MAY CONSULT WITH SUCH PERSONS AND/OR AGENCIES AS THEY DEEM NECESSARY TO EXECUTE THEIR FUNCTIONS.

SECTION 9-52. POWERS AND DUTIES.

A. THE FUNCTIONS OF THE HCHPC SHALL BE AS FOLLOWS:

(1) HCHPC IS HEREBY DESIGNATED AS THE LOCAL HEALTH PLANNING AGENCY FOR HARFORD COUNTY.

(2) TO REPRESENT HARFORD COUNTY AT THE REGIONAL HEALTH PLANNING AND MONITORING BOARD (RHPMB) HEREINAFTER REFERRED AS "RHPMB." THE REPRESENTATIVES TO THE RHPMB SHALL BE ~~THE EXECUTIVE OR THE EXECUTIVE'S DESIGNEE,~~ THE COUNTY HEALTH OFFICER, ~~AND A CONSUMER MEMBER DESIGNATED BY THE COUNTY EXECUTIVE OFFICER AND 2~~ CONSUMER MEMBERS. THE CONSUMER MEMBERS SHALL BE DESIGNATED BY THE COUNTY COUNCIL, 1 REPRESENTING THE COUNTY GOVERNMENT AND 1 REPRESENTING THE GENERAL PUBLIC.

(3) TO PERIODICALLY REVIEW AVAILABLE HEALTH SERVICE SYSTEMS AND DETERMINE LOCAL HEALTH PROGRAM NEEDS.

(4) TO ADVISE AND REPORT REGULARLY TO THE RHPMB, THE COUNTY BOARD OF HEALTH, THE COUNTY COUNCIL, AND THE COUNTY EXECUTIVE ON THE PROGRESS OF LOCAL HEALTH PROGRAMS AND SYSTEMS AND OF ACTION NEEDED FOR THEIR FURTHER IMPROVEMENTS.

(5) TO MAKE RECOMMENDATIONS TO THE MARYLAND HEALTH RESOURCES PLANNING COMMISSION (MHRPC) HEREAFTER REFERRED TO AS "MHRPC", ITS SUCCESSORS, THE RHPMB, OR ITS SUCCESSORS, THE COUNTY EXECUTIVE, AND COUNTY COUNCIL FOR APPROPRIATE ALLOCATING OF FUNDS IN ACCORDANCE WITH AGREED UPON PRIORITIES AND IN CONSIDERATION OF PRIVATE, COUNTY, STATE, AND FEDERAL FINANCIAL RESOURCES.

(6) TO REVIEW AND COMMENT ON PROPOSED PLANS OF THE MHRPC OR ITS SUCCESSORS, RHPMB, OR ITS SUCCESSORS, INCLUDING BUT NOT LIMITED TO, CERTIFICATION REVIEW ITEMS, AND OTHER HEALTH ISSUES WHICH AFFECT THE GEOGRAPHIC AREA OF THE RHPMB AND HARFORD COUNTY.

1           (7) TO RECOMMEND TO THE COUNTY EXECUTIVE, COUNTY COUNCIL  
2 AND THE RHPMB; POLICIES AND PROCEDURES DESIGNED TO PROVIDE  
3 COMPREHENSIVE COUNTY PLANNING FOR HEALTH SERVICES, BOTH PUBLIC AND  
4 PRIVATE, INCLUDING THE FACILITIES PROGRAMS AND PERSONS REQUIRED TO  
5 PROVIDE THESE SERVICES TO MEET THE HEALTH NEEDS OF THE PEOPLE OF  
6 THE COUNTY.

7           (8) TO REVIEW AND MAKE RECOMMENDATIONS TO THE COUNTY  
8 EXECUTIVE AND THE COUNTY COUNCIL REGARDING THOSE ELEMENTS OF THE  
9 PUBLIC FACILITIES ORDINANCE, THE LAND USE MASTER PLAN, AND ZONING  
10 ORDINANCE FOR THE COUNTY WHICH AFFECTS HEALTH PLANS AND FACILITIES.

11           (9) TO ENCOURAGE COOPERATIVE EFFORTS AMONG GOVERNMENTAL  
12 AGENCIES, ORGANIZATIONS AND GROUPS CONCERNED WITH HEALTH SERVICES,  
13 FACILITIES OR MANPOWER.

14           (10) TO INITIATE DISCUSSIONS WITH APPROPRIATE  
15 ORGANIZATIONS AND OFFICIALS IN THE AREA OF PUBLIC/PRIVATE HEALTH  
16 CARE PARTNERSHIPS AS A POTENTIAL MEANS TO BETTER SERVE THE LOW-  
17 INCOME AND SPECIAL NEEDS POPULATIONS OF HARFORD COUNTY. (SPECIAL  
18 NEEDS POPULATIONS WOULD INCLUDE, BUT NOT BE LIMITED TO SENIOR  
19 ~~CENTERS~~ CITIZENS, DEVELOPMENTALLY DISABLED, MENTALLY ILL, AND OTHER  
20 SIMILAR ~~ORGANIZATIONS~~ POPULATIONS.)

21           (11) TO PROMULGATE SUCH RULES AND REGULATIONS AS ARE  
22 NECESSARY FOR ITS OPERATION PURSUANT TO SECTION 807 OF THE CHARTER.

23           (12) TO ADOPT BYLAWS GOVERNING THE INTERNAL  
24 ADMINISTRATION OF THE HCHPC.

1 (13) TO HAVE SUCH OTHER POWERS AND DUTIES AS MAY BE FROM  
2 TIME TO TIME PRESCRIBED BY THE COUNTY COUNCIL OR COUNTY EXECUTIVE  
3 NOT INCONSISTENT WITH THIS ARTICLE.

4 Section 2. And Be It Further Enacted, that the terms of the  
5 initial appointed members of the HCHPC shall begin upon appointment  
6 and expire July 1, 1993.

7 Section 3. And Be It Further Enacted that this act shall take  
8 effect sixty (60) calendar days from the date it becomes law.

9 EFFECTIVE: July 12, 1991

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BY THE COUNCIL

BILL NO. 91-13 As Amended

Read the third time.

Passed: LSD 91-13 (May 7, 1991)

Failed of Passage: \_\_\_\_\_

By Order

Doris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive  
for her approval this 8th day of May, 1991  
at 3:00 o'clock P.M.

Doris Poulsen, Secretary

BY THE EXECUTIVE

Eileen M Behrman  
COUNTY EXECUTIVE

APPROVED:

Date May 13, 1991

BY THE COUNCIL

This Bill, (No. 91-13 As Amended), having been approved by the  
Executive and returned to the Council, becomes law on May 13, 1991.

Doris Poulsen, Secretary

EFFECTIVE DATE: July 12, 1991